

## HEIRS OF BYRD CHAMBERLAYNE.

JUNE 10, 1842.

Read, and laid upon the table.

Mr. HALL, from the Committee on Revolutionary Claims, submitted the following

### REPORT :

*The Committee on Revolutionary Claims, to which was referred the petition of the heirs of Byrd Chamberlayne, submit the following report :*

It appears, from the evidence before the committee, that, on the 1st of March, 1831, a land warrant was issued, by the Virginia authorities, to the petitioners, for 4,000 acres, for the services of Byrd Chamberlayne as a lieutenant of the State navy to the end of the war ; that the warrant was transmitted to the General Land Office of the United States, to be satisfied in scrip ; that, before scrip was issued, the Commissioner of the Land Office was furnished with a certificate from the auditor of Virginia, stating that it appeared, by the naval journal of that State, that said Chamberlayne had resigned his commission as lieutenant on the 21st of August, 1778 ; that, in consequence of this certificate, the Commissioner returned the warrant to the Virginia land office for a re-examination of the case ; that the petitioners, having been notified of this proceeding, filed additional evidence with the Executive of Virginia of the service of said Chamberlayne ; and that, on full consideration of the case, the Executive of that State, on the 26th of April, 1839, rejected the claim. The warrant being thus withheld from the petitioners, they now seek relief from Congress.

The committee are of opinion that Congress have nothing to do with this matter. The Virginia land bounty is exclusively a State provision. The laws of the State provide that the claims to the bounty shall be adjudicated by the Executive. The Executive has decided against the claim, and it would be impertinent and improper for this Government to undertake to interfere with his decision. When a warrant has been issued by the State authorities, and satisfaction of it is demanded of the United States, it would then be proper for this Government to consider the propriety of paying it ; and in determining the propriety of such payment, an examination of the evidence on which it issued might be expedient : but the granting of the warrants is exclusively a State matter.

The committee therefore recommend that the petitioners have leave to withdraw their petition.

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